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Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/551,124
Filing Date	9/26/2005
First Named Inventor	**Toru INOUE**
Art Unit	1772
Examiner Name	**Chang**
Attorney Docket Number	1089.45436X00

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed un-entered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed un-entered amendment(s) entered, applicant must request non-entry of such amendment(s).

   a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

      i ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

      ii ☐ Other

   b. ☐ Enclosed

      i ☐ Amendment/Reply   iii. ☐ Information Disclosure Statement (IDS)

      ii ☐ Affidavit(s)/Declaration(s)   iv. ☐ Other

2. **Miscellaneous**

   a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

   b. ☐ Other

3. **Fees** The RCE fee under 37 C.F.R. § 1.17 (e) is required by 37 C.F.R. § 1.114 when RCE is filed.

   a. ☒ The Director is hereby authorized to charge any deficiencies or credit any overpayments, to Deposit Account No. 01-2135

      i ☒ RCE fee required under 37 C.F.R. § 1.17 (e)

      ii ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

      iii ☐ Other

   b. ☐ Check in the amount of $ _____ enclosed

   c. ☒ Payment by credit card (Form PTO-2038 enclosed)

   WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Alan E. Schiavelli	*Registration No. (Attorney/Agent)*	32,087
Signature	/Alan E. Schiavelli/	*Date*	December 24, 2009

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	
Signature	*Date*

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.